

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

FILED
2014 JAN -5 PM 3:11
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____

Request for Summons and Modification of the Conditions or Term of Supervision

Name of Offender: Fernando Guerrero; TN: Fernando Guerrero III

Case Number: EP-13-CR-2463KC(1)

Name of Sentencing Judicial Officer: Kathleen Cardone, U.S. District Judge

Date of Original Sentence: April 23, 2014

Original Offense: Conspiring to smuggle bulk cash, in violation of 18 U.S.C. § 371 and 31 U.S.C. § 5332

Original Sentence: Five (5) years probation

Type of Supervision: Probation

Date Supervision Commenced: April 23, 2014

PETITIONING THE COURT

The offender, not having waived a hearing, the probation officer requests that a summons be issued and hearing held to modify the conditions of supervision as follows:

The Defendant shall reside at Dismas Charities, Inc., 7011 Alameda, El Paso, Texas for up to 120 days and shall report to said facility as directed by the probation officer. In addition to abiding by all the rules of Dismas Charities, Inc., the Defendant shall not terminate his stay at Dismas Charities, Inc. nor separate from the facility unless authorized by the probation officer or the director of Dismas Charities, Inc. The Defendant shall report in person to the probation officer within 72 hours of completing his stay or having been terminated from further residence at Dismas Charities, Inc. The subsistence cost will be waived.

CAUSE


The probation officer believes that the action requested above is necessary for the following reasons:

On May 7, 2014, the offender, Fernando Guerrero III, provided a urine specimen which tested positive for marijuana. From May 15, 2014 to May 28, 2014, attempts to locate this offender were unsuccessful. Several telephone calls were made to his cell phone but Guerrero did not return this officer's calls. Upon commencing

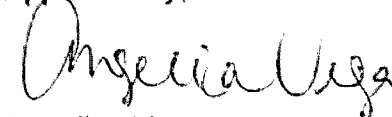
probation, Guerrero reported he would be residing with a friend named Hazel Rodriguez along with Hazel's mother, Norma Uranga. Subsequent to sentencing, Guerrero informed our office he had intentions to secure a residence in El Paso, Texas. As such, Guerrero was informed that if he did not secure residence in El Paso, Texas in approximately three (3) months, his case would be transferred to the U.S. Probation Office in Las Cruces, New Mexico and Guerrero agreed. On May 16, 2014, contact was made with Norma Uranga who resides at the same residence, and Uranga stated Guerrero moved out of the residence at the beginning of May 2014. Uranga mentioned Guerrero may be staying in the Sunland Park area, but she did not know the address.

On May 29, 2014, contact was made with Guerrero on his cell phone and Guerrero was instructed to report to the U.S. Probation Office on May 30, 2014. On May 30, 2014, the offender reported as instructed and he was confronted about the positive results for marijuana on May 7, 2014. Guerrero admitted he smoked marijuana with a friend on May 4, 2014. Guerrero was confronted about Uranga's claim that he is not residing with them since the beginning of May 2014 and Guerrero denied this to be true. Guerrero stated he does live there but he sometimes stays at his friend's house in Sunland Park, New Mexico. Guerrero was informed that he needs to be truthful to the U.S. Probation Officer. While Guerrero was leaving a urine sample, the probation officer called Uranga and once again she reported Guerrero was not residing at this residence. Guerrero was informed of this and he stated Uranga does not really "like" him, but continued to state he does reside at this residence. Guerrero reported that on May 15, 2014 he secured a job at Vistacon Ventures as a general laborer and this information was verified. Guerrero's case was staffed with Supervising U.S. Probation Officer Angelica Vega, and it was determined that the best course of action was to place Guerrero at Dismas Charities for 120 days. Placing Guerrero at Dismas Charities would give the offender a better opportunity to continue working, save money in order to secure stable residence and attend substance abuse treatment. This officer notified the offender that the Court would be notified of his violations and the U.S. Probation Officer's recommendation. The offender does not waive his right to a hearing before the Court.

Respectfully submitted,


Betty Tellez-Hernandez
U.S. Probation Officer
Office: (915) 585-5513
Cellular: (915) 861-8875
Date: June 2, 2014

Approved by,


Angelica Vega
Supervising U.S. Probation Officer
Office: (915) 585-5539
Cellular: (915) 861-8149

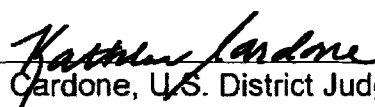
Fernando Guerrero
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THE COURT ORDERS:

☐ No action.

~~xxx~~
☒ The issuance of a summons.

☐ Other:



Kathleen Cardone, U.S. District Judge

June 2, 2014

Date